

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Stevanovski et al.

Application No.: 09/614,109

Confirmation No.: 1567

Filed: July 12, 2000

Art Unit: 3693

For: PAYMENT ADMINISTRATION SYSTEM

Examiner: D. S. Felten

REPLY BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under 41.41, this reply brief is filed within two months of the Examiner's answer.

RESPONSE TO EXAMINER'S ARGUMENTS

Group I – Claims 19, 23, 34 and 39

Piece is unquestionably directed to a system that allows credit card issuers to monitor and control for suspect transactions. See Peirce, Col. 8 at 31 – 32. Fleming, in contrast, is directed to a system monitored by “someone other than the card issuer.” See Fleming, Col. 3, lines 8 – 9. In *KSR Int'l Co. v. Teleflex Inc.*, the Court asked “whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue.” See *KSR Int'l Co. v. Teleflex Inc.* 127 S.Ct 1727, 1740-41, 82 USPQ2d 1385, 1396 (2007). Here, there is no reason, other than the Examiner's own hindsight reconstruction, to support a conclusion that one of skill in the art would look to a system used by credit card issuers to create a system designed to meet

needs specific to credit card holders. Therefore, Applicant requests that the rejection be overruled.

Group II – Claim 23

Claim 23 recites that the administrative program may include a merchant approval program and a collection program. The Examiner's brief, on page 3, does reference claim 23. However, the Examiner has not cited to any reference to support the position that the use of a collection program as part of the administrative program would have been obvious. Therefore, the rejection of claim 23 should be overruled.

Group III – 26, 27, 35 and 36

In the claims of Group III, the purchase parameters are predefined by the customer. Further, the "customer" is identified as the consumer of goods and services.

The Examiner's brief rightly identified the child in Fleming as the intended purchaser of goods and services (i.e., child is the customer). See Examiner's brief at 7. However, in Fleming it is the parent, not the child, who establishes the child's limit. Accordingly, Fleming does not teach a purchaser parameter that is predefined by the customer as required by the claims.

There is also no discussion in Fleming of the timing of purchases, specifically, the aggregation of purchases over a period of time. Therefore, claims 27 and 36 (which teach a "dollar limit threshold for all purchases within a *predetermined* period of time") also should not be considered obvious in view of the cited combination.

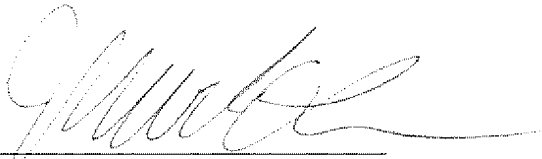
Group IV – 19, 20, 22, 32 and 37.

Claim 37 (directed to the transmission of an electronic notice in real time) was inadvertently omitted from Group IV designation in Applicant's main brief.

Lawlor teaches the use of four-line LCD display that allows a user to receive and view messages after the user as accessed a remote bank terminal. See Lawlor, Col 8, lines 20 – 45. Lawlor does not, however, teach a unilateral (system to customer) notification system or, more specifically, a system that alerts a customer to activity on the customer's account and in real time.

Dated: August 6, 2007

Respectfully submitted,

By 

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on August 6, 2007
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